

HOUSE BILL 668
By Bowers

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 30,
relative to civil service.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The title of this act is, and may be cited as, the "civil service reform act of 1997".

SECTION 2. Tennessee Code Annotated, Section 8-30-102, is amended by deleting the words, figure and symbol "nine (9) members" and by substituting instead the following:

three (3) members

SECTION 3. Tennessee Code Annotated, Section 8-30-104, is amended by deleting the section in its entirety and by substituting instead the following:

One member of the commission shall be appointed by the governor to serve a term of three (3) years. One member of the commission shall be appointed by the speaker of the senate to serve an initial term of two (2) years. One member of the commission shall be appointed by the speaker of the house of representatives to serve an initial term of one (1) year. Thereafter, the respective appointing officials shall fill the respective vacancies for regular terms of three (3) years; provided, however, a person appointed to fill a vacancy occurring prior to the expiration of such regular term shall be appointed by the appropriate appointing official to serve on the commission for the remainder of the regular term.

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SECTION 4. Tennessee Code Annotated, Section 8-30-105, is amended by deleting the section in its entirety and by substituting instead the following:

Members of the commission shall each be paid the same salary received by the commissioner of personnel and shall be entitled to reimbursement for necessary travel expenses in accordance with the state comprehensive travel regulations.

SECTION 5. Tennessee Code Annotated, Section 8-30-106, is amended by deleting the words “by the governor only for cause,” and by substituting instead the following:

by joint action of the three (3) appointing officials and only for cause,

SECTION 6. Tennessee Code Annotated, Section 8-30-107, is amended by deleting the final sentence and by substituting instead the following:

Two (2) members shall constitute a quorum.

SECTION 7. Tennessee Code Annotated, Section 8-30-202(a), is amended by deleting the first sentence and by substituting instead the following:

The commission shall employ an executive director. The executive director shall direct and supervise all its administrative and technical activities with respect to state service.

SECTION 8. Tennessee Code Annotated, Section 8-30-202(a), is further amended by deleting from the second sentence the word “commissioner” and by substituting instead the word “executive director”.

SECTION 9. Tennessee Code Annotated, Section 8-30-203, is amended by deleting the word “commissioner” and the word “commissioner’s” and by substituting instead the word “executive director” and the word “executive director’s”, respectively.

SECTION 10. Tennessee Code Annotated, Sections 8-30-204 and 207, are amended by deleting the word “commissioner” and by substituting instead the word “executive director”.

SECTION 11. Tennessee Code Annotated, Section 8-30-208, is amended by deleting subsections (a) and (b) in their entirety and by substituting instead the following:

(a) The state service shall be divided into an executive service and a career service.

(b) The executive service shall consist of the following:

(1) Members of each board, commission, agency and authority and the chief executive officer of each board, commission, agency and authority;

(2) The commissioner of each department and one confidential administrative assistant for the commissioner;

(3) The deputy commissioner of each department and one confidential administrative assistant for the deputy commissioner;

(4) Assistant commissioners within each department; and one confidential administrative assistant for each such assistant commissioner; and

(5) All positions in the governor's office.

Within any department, no position shall be designated as a deputy commissioner or assistant commissioner unless actual duties and responsibilities necessarily vest the holder of the position with statewide policy-making authority and also require the holder of the position to engage in direct personal consultation with the commissioner on a daily or almost daily basis.

Furthermore, within any department having fewer than five hundred (500) regular full-time employees in state service, there shall be not more than one (1) deputy commissioner and not more than five (5) assistant commissioners; and within any department having five hundred (500) or more regular full-time employees in state service, there shall be not more than one (1) deputy commissioner and not more than eight (8) assistant commissioners.

SECTION 12. Tennessee Code Annotated, Section 8-30-208, is amended by deleting subsections (d) and (e) in their entirety and by substituting instead the following:

(d) All executive orders issued pursuant to this section prior to the effective date of this act are hereby superseded and repealed.

SECTION 13. Tennessee Code Annotated, Section 8-30-320(a)(1)(A), is amended by deleting the words "In accordance with the rules," and by substituting instead the following:

In accordance with the rules and with the approval of the commission,

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.